

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**HB 2266 – SB 2247**

April 27, 2009

**SUMMARY OF AMENDMENT (006813):** Deletes all language after the enacting clause and requires all health care facilities to report incidents of abuse, neglect, and misappropriation to the Department of Health within seven business days from the facility's identification of the incident. All reports are to be kept confidential, except the Department must reveal knowledge of the incident upon request. Facilities must report incidents that may result in the disruption in the delivery of health care services including a strike by the employees, external disaster impacting the facility, or fires at the facility. The Department must submit a written report by January 31, 2011, to the Chairs of the Senate General Welfare, Health, and Human Resources Committee and the House Health and Human Resources Committee specifically comparing and contrasting the 2007 and 2008 annual aggregate data reported to the State and collected from facility surveys.

**FISCAL IMPACT OF ORIGINAL BILL:**

State Expenditures – Net Impact – Not Significant

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- Currently, health care facilities are required to report all unusual events, defined as an unexpected occurrence or accident resulting in death or a life-threatening or serious injury to a patient. The bill changes this provision by requiring facilities to only report incidents of abuse, neglect, and misappropriation.
- According to the Department of Health, there will be a reduction in the number of onsite investigations the Department is required to conduct. Instead of conducting onsite investigations, the Department would work with the facility to correct the actions which resulted in the incidents. The net impact on state expenditures is estimated to be not significant.

**HB 2266 – SB 2247**

- According to the Department of Health, the existing online reporting system should not require revisions to comply with the provisions of the proposed legislation.
- Any cost for the Department to prepare the required report will not be significant and can be accommodated within existing resources without an increased appropriation or reduced reversion.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/kml